

110001759
VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 08-1209-2411

ELECTIONS: UNIT X83 Well L(-1)B
(herein Subject Drilling Unit)

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on May 14, 2009 which was recorded at Document #090001778 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on June 11, 2009, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein A Designated Operator) to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit X-83 Well L(-1)B;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company PO Box 3860 Kingsport, TN 37664, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 14 day of July, 2011, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Chairman, Bradley C. Lambert

DONE AND PERFORMED this 14th day of July, 2011, by Order of the Board.

Rick Cooper
Rick Cooper
(Acting) Principal Executive to the Staff, Virginia Gas and Oil Board

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 14th day of July, 2011, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared Rick Cooper, being duly sworn did depose and say that he is Acting Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.

Diane J Davis
Diane Davis, Notary Public
174394

My commission expires: September 30, 2013



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit X-83 Well L(-1)B
VGOB 08-1209-2411 in the Prater District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein A Designated Operator) REGARDING
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land Resources, Inc., as a Pooling Supervisor and is duly
authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on May 14, 2009, by the Virginia Gas and Oil Board (hereinafter "Board")
regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to
each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above,
your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service
to each Respondent named in the captioned Application, whose address was known, and to all persons, if
any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing
has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at
Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their
written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the
counties identified above; that said Order was recorded on June 11, 2009;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail
received and all written documents received other than by mail to ascertain whether parties whose interests
have been pooled have made a written election, in a timely fashion, as required by the captioned Order;
that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit;
that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the
thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to
have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's
Order of May 14, 2009;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's
Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

None

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

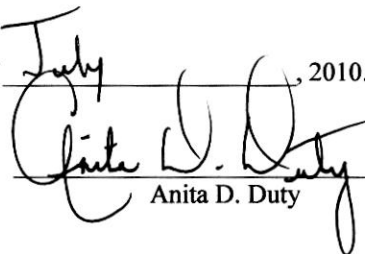
Kilby Boyd, Shelia Miller, Ercil Cook, Robert G. Boyd

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

None

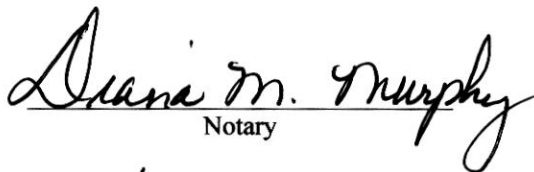
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 30th day of July, 2010.

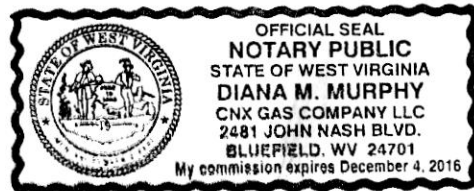

Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 30th day of July, 2010.


Notary

My commission expires: December 4, 2016



PROPERTY LINES SHOWN ON THIS PLAT WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE AND DOES NOT REPRESENT A CURRENT FIELD SURVEY.

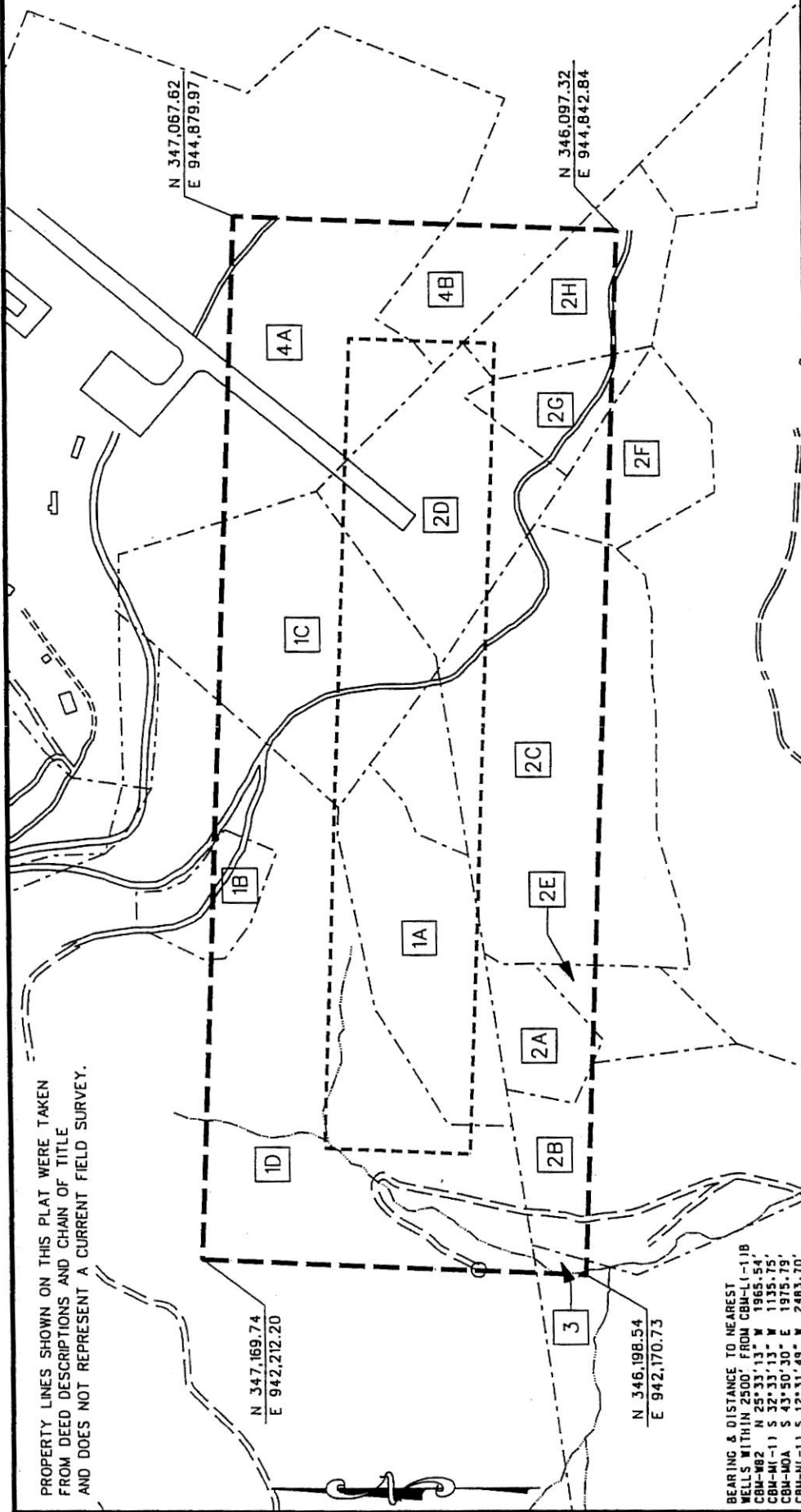


EXHIBIT A
 NORA FIELD
 UNIT X83
 BATH COUNTY
 TEXAS 08-120492411

TIMOTHY E. HORN
 Lic. No. 00556 Seal

PROFESSIONAL ENGINEER

Company CNX Gas Company LLC Well Name and Number UNIT X83
 Tract No. Elevation Quadrangle PRATER
 County BUCHANAN District PRATER Scale: 1" = 400' Date 11/6/08

This plat is a new plat ; an updated plat X; or a final plat

 Form DGO-GO-7
 Rev. 9/91
 Licensed Professional Engineer or Licensed Land Surveyor

CNX Gas Company LLC

Unit X 83 (Well L -1B)

Tract Identifications

1. CNX Gas Company LLC – CBM Leased Consolidation Coal Company(105.53 Acre Tract) – Coal
Highland Resources, Inc. / North American Resources, Corp. – Oil and Gas
Plum Creek Timberlands, L.P. – CBM
CNX Gas Company LLC – Oil, Gas and CBM Leased
28.52 Acres 47.8684%
- 1A. Henry Deel, et ux – Surface
- 1B. Alex Vanover, et ux – Surface
- 1C. Town of Grundy – Surface
- 1D. Island Creek Coal Company/Consol Energy Inc. - Surface
2. Consolidation Coal Company, et al Big Vein Tr. 59 (311.40 Acre Tract) – All Minerals
except Oil, Gas and CBM
Island Creek Coal Company/Consol Energy, Inc. – Coal below the Tiller Seam Leased
Jewell Smokeless Coal Corp. – Tiller and Above Coal Leased
Highland Resources, Inc. / North American Resources, Corp., et al – Oil and Gas
CNX Gas Company LLC – Oil and Gas Leased (1/3)
Plum Creek Timberlands, L.P., et al – CBM
CNX Gas Company LLC – CBM Leased
21.94 Acres 36.8244%
- 2A. Joe Deel, et ux – Surface
- 2B. Harold Looney, et ux – Surface
- 2C. Unknown Surface Owner
- 2D. Town of Grundy – Surface
- 2E. Charlie Bishop, et ux – Surface
- 2F. Mary M. L. Yates – Surface
- 2G. Unknown Surface Owner
- 2H. Gordon Looney, et ux – Surface
3. Josephine Boyd Heirs, et al (F.M.F Boyd Heirs, et al – 86.00 Acre Tract) – Coal (Except % of Widow
Kennedy and Above Coal Seams)
Rual Fuller/National Energy Corp. (%) of Widow Kennedy and Above Coal Seams
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam (94.44%) Leased
Alpha Land and Reserves, LLC – (%) Coal in Blair Seam and Above Leased
Josephine Boyd Heirs, et al (F.M.F Boyd Heirs, et al) – Oil and Gas (97.88% Ownership)
CNX Gas Company LLC – Oil and Gas (2.1180% Ownership)
CNX Gas Company LLC – (93.4670%) Oil, Gas and CBM Leased
Mary Ruth Owens, et al – Surface
0.16 Acres 0.2685%
4. Consolidation Coal Company, et al Big Vein Tr. 60 (157.70 Acre Tract) – All Minerals
except Oil, Gas and CBM
Island Creek Coal Company/Consol Energy, Inc. – Coal below the Tiller Seam Leased
Jewell Smokeless Coal Corp. – Tiller and Above Coal Leased
Highland Resources, Inc. / North American Resources, Corp., et al – Oil and Gas
CNX Gas Company LLC – Oil and Gas Leased (1/3)
Plum Creek Timberlands, L.P., et al – CBM
CNX Gas Company LLC – CBM Leased
8.96 Acres 15.0386%
- 4A. Town of Grundy – Surface
- 4B. Rose Looney Hale Heirs – Surface

Exhibit B-2
Unit X-83
Wells: L(-1)B
Docket #VGOB 08-1209-2411
List of Respondents to be Added and/or Dismissed
(59.58 Acre Unit)

	Acres in Unit	Percent of Unit	Reason for Dismissal	Reason for Addition
I. COAL OWNERSHIP				
<u>Tract #3, 0.16 acres</u>				
(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (86 Acre Tract)	0.16 acres	0.2685%		
(1) Marion Boyd Heirs, Devisees, Successors or Assigns				
(a) Kilby Boyd Heirs, Devisees Successors or Assigns	1/147 interest deeded to Clyde Boyd		Deceased	
(b) Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.00218 acres 2/147 of 0.16 acres	0.0037%		Heir
(5) Marion Rendue Boyd Heirs, Devisees, Successors or Assigns				
(e) Ada Nell Stiltner Heirs, Devisees, Successors or Assigns				
(e.3) Shelia Miller 4138 Bloomingdale Rd. Kingsport, TN 37660	0.00037 acres 1/432 of 0.16 acres	0.0006%	Leased	
(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns				
(j.4) Ercil Cook Heirs, Devisees, Successors or Assigns (1/288)			Deceased	
(j.4.1) Mark Cook PO Box 1732 Honaker, VA 24260	0.00019 acres 1/864 of 0.16 acres	0.0003%		Heir
(j.4.1) Ercil Cook, Jr. 401 Chalan Guma Yuus Court Sinaja, Guam 96926	0.00019 acres 1/864 of 0.16 acres	0.0003%		Heir
(j.4.1) Ursula Cook Address Unknown	0.00019 acres 1/864 of 0.16 acres	0.0003%		Heir
(l) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns				
(l.11) Robert G. Boyd 1082 Ardue and Jane Rd. Vansant, VA 24656	0.00019 acres 1/864 of 0.16 acres	0.0003%	Leased	
II. OIL & GAS OWNERSHIP				
<u>Tract #3, 0.16 acres</u>				
(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (86 Acre Tract)	0.16 acres	0.2685%		
(1) Marion Boyd Heirs, Devisees, Successors or Assigns				
(a) Kilby Boyd Heirs, Devisees Successors or Assigns	1/147 interest deeded to Clyde Boyd		Deceased	

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Exhibit B-2
Unit X-83
Wells: L(-1)B
Docket #VGOB 08-1209-2411
List of Respondents to be Added and/or Dismissed
(59.58 Acre Unit)

	Acres in Unit	Percent of Unit	Reason for Dismissal	Reason for Addition
(b) Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.00218 acres 2/147 of 0.16 acres	0.0037%		Heir
(5) Marion Rendue Boyd Heirs, Devisees, Successors or Assigns				
(e) Ada Nell Stiltner Heirs, Devisees, Successors or Assigns				
(e.3) Shelia Miller 4138 Bloomingdale Rd. Kingsport, TN 37660	0.00037 acres 1/432 of 0.16 acres	0.0006%	Leased	
(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns				
(j.4) Ercil Cook Heirs, Devisees, Successors or Assigns (1/288)			Deceased	
(j.4.1) Mark Cook PO Box 1732 Honaker, VA 24260	0.00019 acres 1/864 of 0.16 acres	0.0003%		Heir
(j.4.1) Ercil Cook, Jr. 401 Chalan Guma Yuus Court Sinaja, Guam 96926	0.00019 acres 1/864 of 0.16 acres	0.0003%		Heir
(j.4.1) Ursula Cook Address Unknown	0.00019 acres 1/864 of 0.16 acres	0.0003%		Heir
(l) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns				
(l.11) Robert G. Boyd 1082 Ardue and Jane Rd. Vansant, VA 24656	0.00019 acres 1/864 of 0.16 acres	0.0003%	Leased	

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Exhibit B3
Unit X-83
Wells: L(-1)B
Docket #VGOB 08-1209-2411
List of all Unleased Owners/Claimants
(59.58 Acre Unit)

	Acres in Unit	Percent of Unit
I. COAL OWNERSHIP		
<u>Tract #3, 0.16 acres</u>		
(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (86 Acre Tract)	0.16 acres	0.2685%
(1) Marion Boyd Heirs, Devisees, Successors or Assigns		
(b) Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.00218 acres 2/147 of 0.16 acres	0.0037%
(5) Marion Rendue Boyd Heirs, Devisees, Successors or Assigns		
(c) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns		
(c.2) Opal Mattie Hunt 263 Donna Ave Morgantown, WV 26508	0.00019 acres 1/864 of 0.16 acres	0.0003%
(c.6) Laura Virginia Manier 4022 Leemaster Drive Vansant, VA 24656	0.00019 acres 1/864 of 0.16 acres	0.0003%
(c.7) Henry Nathan Baldwin, Jr. 403 Surface Dr. Tazewell, VA 24651	0.00019 acres 1/864 of 0.16 acres	0.0003%
(c.11) James Curtis Baldwin 1261 Baldwin Rd. Vansant, VA 24656	0.00043 acres 7/2592 of 0.16 acres	0.0007%
(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns		
(j.2) Lloyd Cook Rt.5 Box 535 Grundy, VA 24614	0.00056 acres 1/288 of 0.16 acres	0.0009%
(j.4) Ercil Cook Heirs, Devisees, Successors or Assigns (1/288)		
(j.4.1) Mark Cook PO Box 1732 Honaker, VA 24260	0.00019 acres 1/864 of 0.16 acres	0.0003%
(j.4.1) Ercil Cook, Jr. 401 Chalan Guma Yuus Court Sinaja, Guam 96926	0.00019 acres 1/864 of 0.16 acres	0.0003%
(j.4.1) Ursula Cook Address Unknown	0.00019 acres 1/864 of 0.16 acres	0.0003%
(l) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns		
(l.6) Estil Boyd Heirs, Devisees, Successors or Assigns		
(l.6.1) Katherine Boyd 116 Villa Lane Taylorsville, NC 28681	0.00019 acres 1/864 of 0.16 acres	0.0003%

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Exhibit B3
Unit X-83
Wells: L(-1)B
Docket #VGOB 08-1209-2411
List of all Unleased Owners/Claimants
(59.58 Acre Unit)

	Acres in Unit	Percent of Unit
(9) Leah Victoria Barton Heirs, Devisees, Successors or Assigns		
(a) Rual Fuller Heirs, Devisees, Successors or Assigns		
<i>*Note: Rual Fuller did not purchase the additional interests of the owners shown in red below in the 105 and 81 acre tracts.</i>		
(b) Hazel Barton Heirs, Devisees, Successors or Assigns		
(b.1) Henry M. Barton P.O. Box 165 Vansant, VA 24656	0.00030 acres 1/539 of 0.16 acres	0.0005%
(d) Marvin Barton 127 Vine Drive Yorktown, VA 23692	0.00030 acres 1/539 of 0.16 acres	0.0005%

II. OIL & GAS OWNERSHIP

Tract #3, 0.16 acres

(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (86 Acre Tract)	0.16 acres	0.2685%
(1) Marion Boyd Heirs, Devisees, Successors or Assigns		
(b) Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.00218 acres 2/147 of 0.16 acres	0.0037%
(5) Marion Rendue Boyd Heirs, Devisees, Successors or Assigns		
(c) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns		
(c.2) Opal Mattie Hunt 263 Donna Ave Morgantown, WV 26508	0.00019 acres 1/864 of 0.16 acres	0.0003%
(c.6) Laura Virginia Manier 4022 Leemaster Drive Vansant, VA 24656	0.00019 acres 1/864 of 0.16 acres	0.0003%
(c.7) Henry Nathan Baldwin, Jr. 403 Surface Dr. Tazewell, VA 24651	0.00019 acres 1/864 of 0.16 acres	0.0003%
(c.11) James Curtis Baldwin 1261 Baldwin Rd. Vansant, VA 24656	0.00043 acres 7/2592 of 0.16 acres	0.0007%
(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns		
(j.2) Lloyd Cook Rt.5 Box 535 Grundy, VA 24614	0.00056 acres 1/288 of 0.16 acres	0.0009%
(j.4) Ercil Cook Heirs, Devisees, Successors or Assigns (1/288)		
(j.4.1) Mark Cook PO Box 1732 Honaker, VA 24260	0.00019 acres 1/864 of 0.16 acres	0.0003%

Hagy, Sharon (DMME)

From: VITASHARE System [vitashare@vita.virginia.gov]
Sent: Friday, August 05, 2011 9:07 AM
To: Hagy, Sharon (DMME)
Subject: New Transaction QFUZJAZZDWUN39IT

Transaction details for Sharon Hagy(user shagy_1) _____

Job Id: QFUZJAZZDWUN39IT

Date: Fri, Aug 5, at 09:06

Transaction Details:

Acknowledge Security Policy: I understand that this system is not intended for sensitive data.

Recipient's Email example- user1@virginia.gov, user2@virginia.gov:

AnitaDuty@consolenergy.com, gloria.clark@dmme.virginia.gov, hilareymullins@consolenergy.c

om

Message - Describe file attachment: Please see the recorded supplemental orders for the following dockets: 1151 1556 1669 and 1669-01 1671 1898 1939 2094 2224 2411 2487 2346 2943

Thank you, Sharon Hagy sharon.hagy@dmme.virginia.gov 276/415-9700

Notify me when the file is downloaded?: Yes

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